

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Tuesday, May 30, 1995, the Zoning Administrator approved with conditions two variances to waive the required garage and reduce the side yard setback for the project known as Z95-038. Findings of Fact and conditions of approval for the project are listed on pages 3 and 4.

Project Information

- Request:
1. Zoning Administrator Variance to convert a 120 square foot garage into living space for a single family residence on 0.13 \pm developed acres in the Standard Single Family (R-1) zone.
 2. Zoning Administrator Variance to reduce the required side yard setback from five feet to four feet for an existing carport. (Withdrawn by Staff)
 3. Zoning Administrator Variance to allow an existing solid six foot high fence which exceeds the three foot allowable height limit in front yard setback area to remain.

Location: 1231 57th Street

Assessor's Parcel Number: 008-0242-027

Applicant: Kim Krajewski
1231 57th Street
Sacramento, CA 95829

Property Owner: Same as owner

General Plan Designation: Low Density Residential (4-15 du/na)
Existing Land Use of Site: Single Family Residence
Existing Zoning of Site: Standard Single Family (R-1)

| Surrounding Land Use and Zoning: | Setbacks | Required | Existing |
|-------------------------------------|-----------|----------|----------|
| North: R-1; Single Family Residence | Front: | 25' | 9.5' |
| South: R-1; Single Family Residence | Side(N.): | 5' | 3' |
| East: R-1; Single Family Residence | Side(S.): | 5' | 7' |
| West: R-1; Single Family Residence | Rear: | 15' | 22.5' |

| | |
|------------------------------|--|
| Property Dimensions: | 69.5 feet x 81 feet |
| Property Area: | 0.13 _± acres |
| Square Footage of Buildings: | Existing structures- 1,977 square feet |
| Height of Building: | Single Story, 16 feet |
| Exterior Building Materials: | Horizontal siding |
| Roof Materials: | Composition Shingles |
| Topography: | Flat |
| Street Improvements: | Existing |
| Utilities: | Existing |

Project Plans: See Exhibits A-D

Previous Files: P4508, I&R 9617

Background Information: On March 2, 1971, the Planning Commission approved a Land Division Permit to create two lots (P4508). The corner parcel had an existing structure that became a non-conforming structure by the Commission's action. The structure had a five foot rear yard setback and a 6.5 foot sideyard setback (which does not allow adequate rear yard substitution) {see Exhibit D}.

Additional Information: The applicant is requesting to convert an existing two car garage into living space. The existing two car garage is adjacent to an existing carport that would be used for parking. The converted area is to be used for living space for a handicap woman. The Zoning Ordinance requires a single car garage for a residential unit. The applicant is seeking a variance to waive the requirement.

The site is located at the corner of M Street and 57 Street. There is an existing six foot fence approximately five feet from the sidewalk along the south property line that decreases to three feet along the west property line. The front of the residence faces the west property line; however, the actual front of the parcel is the south property line. The Zoning Ordinance defines the front as the narrowest portion with street frontage. Therefore, the fence that is six feet high along the south property line exceeds the three foot solid fence height limit for the front setback area. The applicant is requesting a variance to allow the fence to remain.

The site is located within the East Sacramento Improvement Association area. The proposed plans have been submitted to the neighborhood association and called to indicate they are neutral about the project. The project has been noticed and staff has received one call.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines {California Environmental Quality Act, Section 15305(b)}.

Conditions of Approval

1. There shall be no further expansion of the carport or the addition of any other structures in any of the setback areas.
2. Size and location of the remodeled area shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction. **Additionally, the applicant shall obtain a building permit for the carport and make what ever modifications are necessary to make the carport conform with building code.**
4. The maximum height of the fence in the street side yard setback (57th Street frontage) shall be three feet (the height of the existing fence). See Exhibit D. For fencing purposes this area shall be treated as the front yard. The fence in the front yard setback (M Street frontage) may remain at six feet. The fence, however, must be set back a minimum of five feet from the back of the sidewalk as constructed.

Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
2. Granting the variance request does not constitute a use variance in that the single family dwelling is residential use that is permitted in the Standard Single Family (R-1) zone.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there is an existing carport and adequate driveway area that will provide an adequate off-site parking area;
 - b. the proposed garage conversion will not substantially alter the characteristics of the site or the surrounding neighborhood;
 - c. the fence was lowered to three feet along the side yard setback area as that is the actual front of the house; and
 - c. the lot is substandard in depth so that the living area could not be added elsewhere on the lot.

4. The project is consistent with the General Plan designation which designates the subject site as Low Density Residential (4-15 du/na).

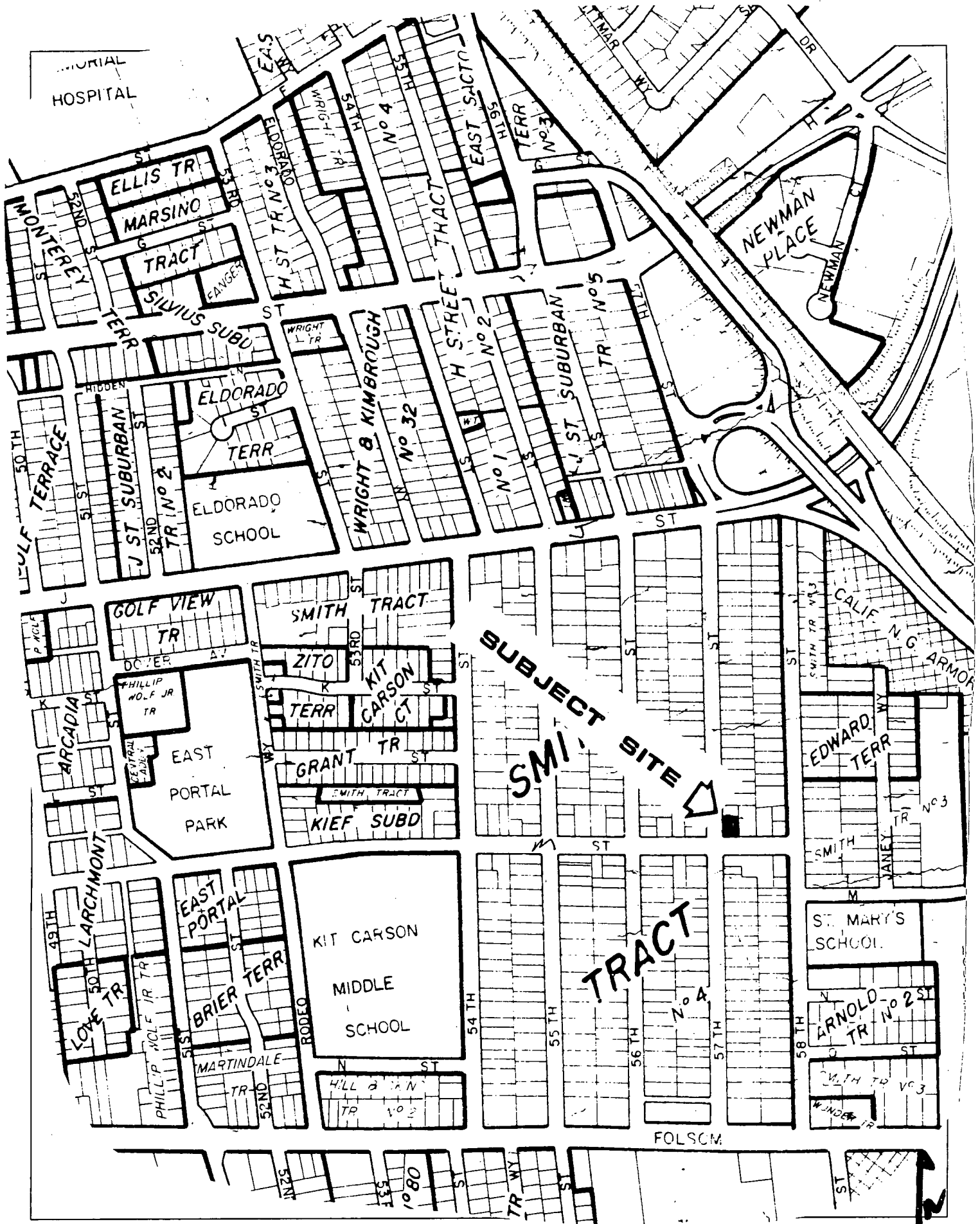
Joy D. Patterson

Joy D. Patterson
Zoning Administrator

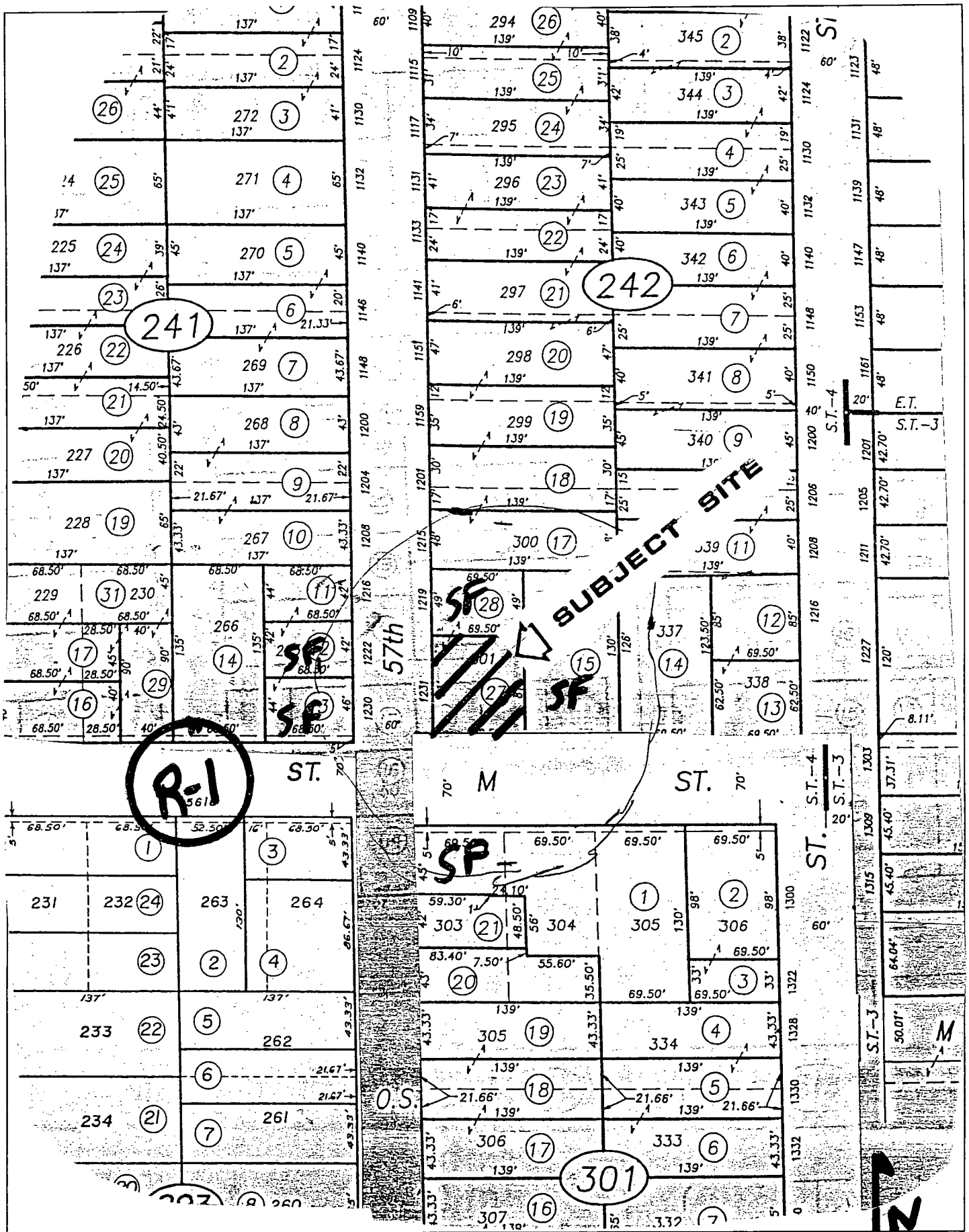
A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File ✓
Applicant ✓
ZA Log Book ✓

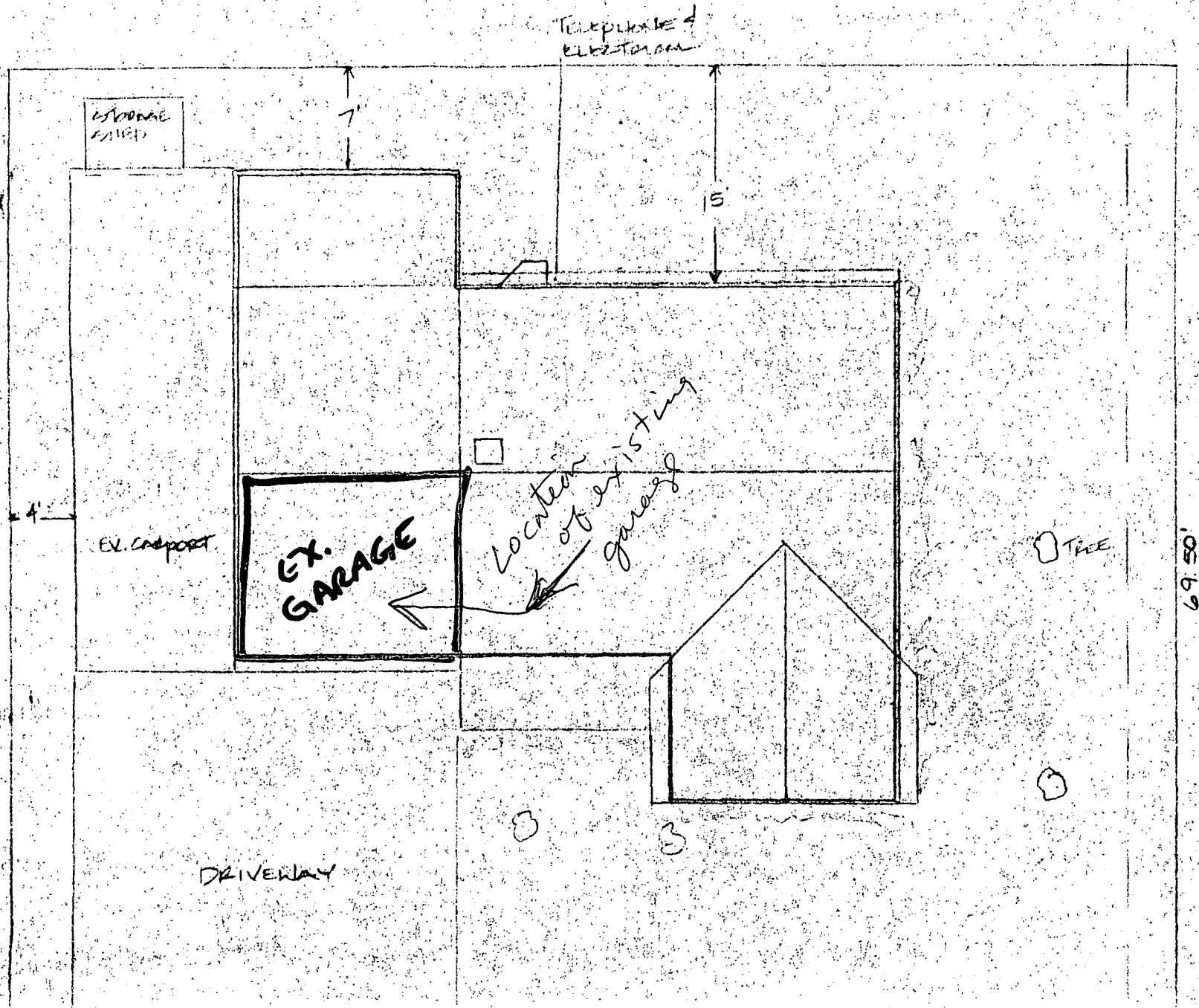


VICINITY MAP



LAND USE & ZONING MAP

EXHIBIT A



115'

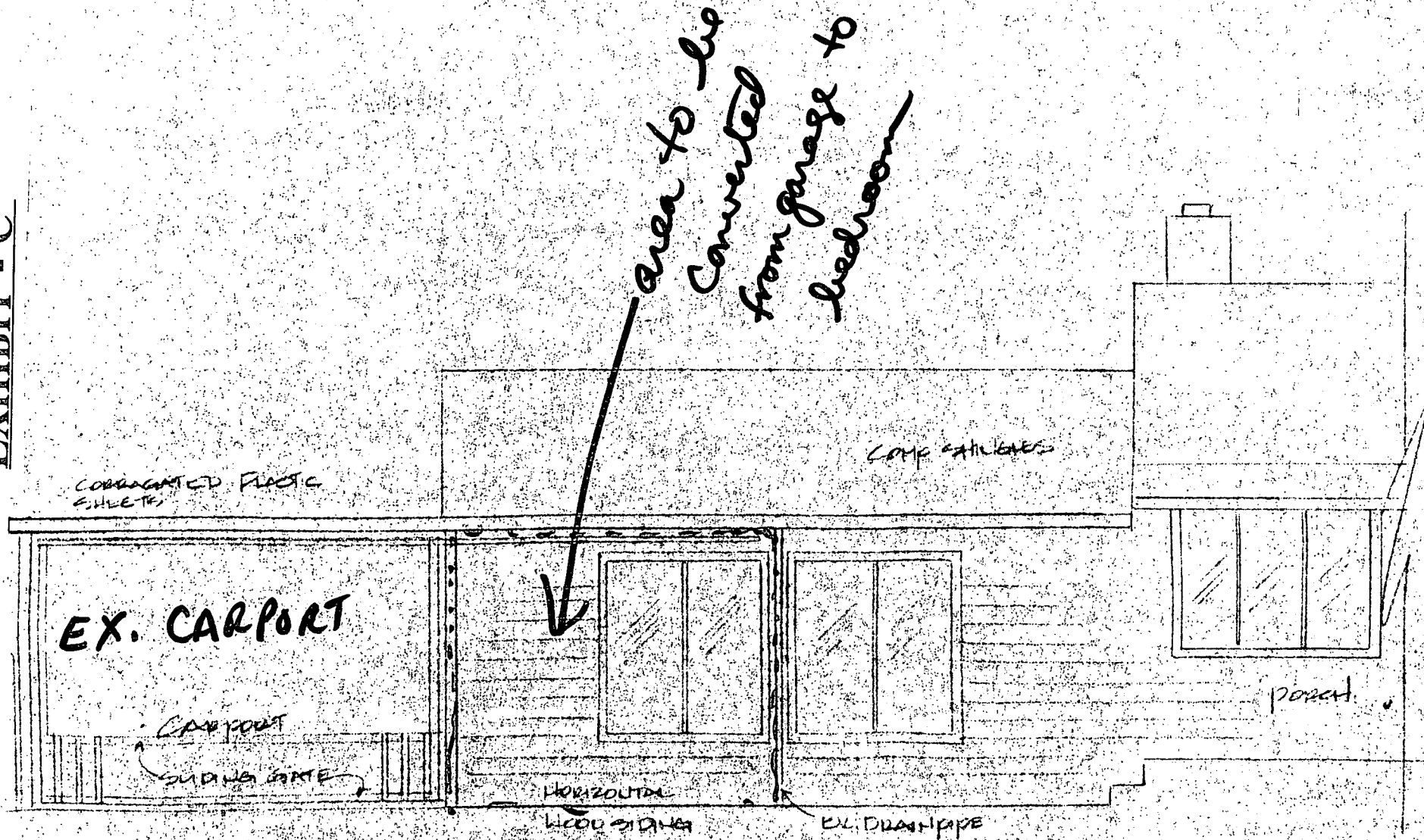
69.50'

295-038

JUNE 13, 1995

ITEM 2

EXHIBIT B



FRONT ELEVATION

1/4" = 1'-0"

295-038

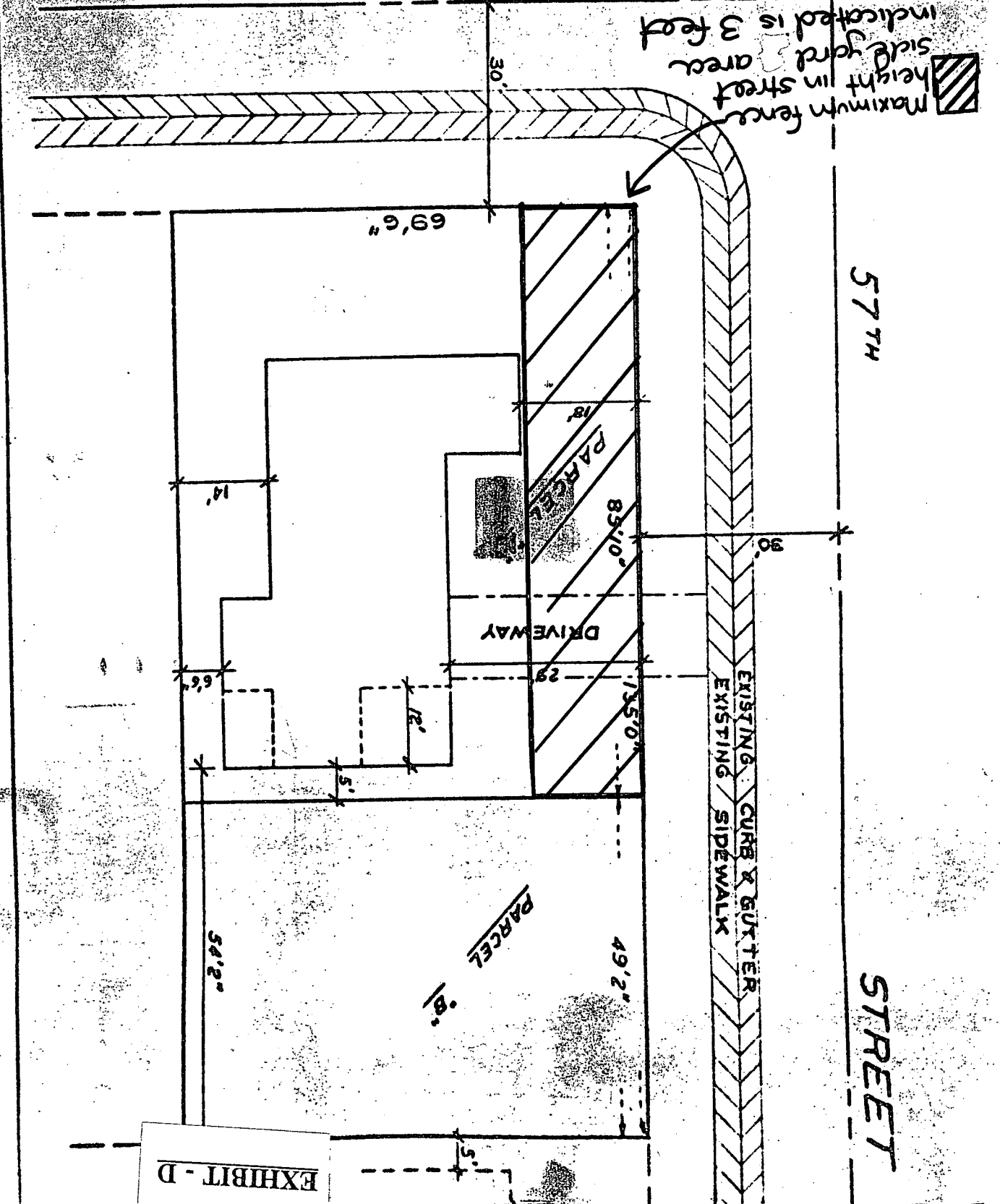
295-038

JUNE 13, 1995

ITEM 2

DATE 3-2-71
 P-4308
 JUNE 13, 1985
 295-038

CITY PLANNING COMMISSION
 APPROVED
 DIVISION
 PERMIT
 STREET



STREET

57TH

EXISTING CURB & GUTTER
EXISTING SIDEWALK

PARCEL 18°

PARCEL 18°

DRIVEWAY

STREET

000517

M

Land
Division
PERMIT
CITY

PLANNING COMMISSION

DATE 3-2-71

P-4508

M. Menda
ITEM 2

295-038

JUNE 13, 1995

| | |
|---------|---------------------------|
| DATE | MAR. 1971 |
| SCALE | 1"=20' |
| PROJECT | LOT 501 SMITH TRACT NO. 4 |
| CLIENT | |



THE
SPINK
CORPORATION
ENGINEERS • PLANNERS • SURVEYORS
807 FIFTH STREET, OAKLAND, CALIFORNIA